

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OPERATING ENGINEERS HEALTH
AND WELFARE TRUST FUND FOR
NORTHERN CALIFORNIA, et al.,

Plaintiffs,

v.

BRAMBILA & KELLEY INC., et al.,

Defendants.

Case No. 22-cv-03639-JST

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND
GRANTING MOTION FOR DEFAULT
JUDGMENT**

Re: ECF No. 50

The Court has reviewed Magistrate Judge Kandis Westmore's report and recommendation, ECF No. 50, to grant Plaintiffs' motion for default judgment against Defendants Brambila & Kelley Inc. (dba JB Electric and Construction), Brambila & Kelley Inc. (dba Tri Valley Electric, Inc.), Brambila & Kelley Inc. (dba Tri Valley Maintenance & Repair, Inc.), and Juan Brambila, ECF No. 30. Plaintiffs served Defendants with the report and recommendation on November 10, 2023. ECF No. 51. The fourteen-day period for objections has elapsed, and no objections have been filed. *See* Fed. R. Civ. P. 72(b)(2).

The Court finds the report to be correct, well-reasoned, and thorough, and adopts it in every respect. Default judgment against Defendants is granted. Plaintiffs are also awarded:

- (1) Unpaid contributions in the amount of \$75,633.33;
- (2) Interest in the amount of \$8,157.78;
- (3) Liquidated damages in the amount of \$26,033.25;
- (4) Reasonable attorney's fees in the amount of \$16,388.50; and
- (5) Costs in the amount of \$816.43.


Interest shall continue to accrue at a rate of 10% per annum on unpaid contributions

1 (\$75,633.33) from August 11, 2023, until paid, and at post-judgment interest rates on the balance
2 of the judgment.

3 The Clerk shall enter judgment and close the file.

4 **IT IS SO ORDERED.**

5 Dated: December 7, 2023

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7 JON S. TIGAR
8 United States District Judge
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